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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,880	09/17/2001	Jurgen Hoser	02894-525001	9459

26161 7590 07/29/2004  
FISH & RICHARDSON PC  
225 FRANKLIN ST  
BOSTON, MA 02110

EXAMINER

STINSON, FRANKIE L

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/936,880	HOSER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	FRANKIE L. STINSON	1746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 June 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 5-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20-26, 28-37, 48-52 and 58-61 is/are allowed.
- 6) ☒ Claim(s) 1, 5, 19, 27, 38, 39, 54, 56 and 4547 is/are rejected.
- 7) ☒ Claim(s) 6-18, 40-44, 46, 53, 55 and 57 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 5, 19, 27, 38, 39, 45, 54 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by either Taylor or Nicholoy.

Re claims 1, 27 and 38, note the cleaning liquid container (37 in Taylor and 20 in Nicholoy) for cleaning a device (8 in Taylor and 17 in Nicholoy), for cleaning an object, the liquid container comprising a housing defining an interior cavity; an inlet (as at 39/40 in Taylor and as at 19 in Nicholoy), the inlet receiving a cleaning fluid carrying solid particles from the cleaning device into the interior cavity; an outlet (47 in Taylor and 22 in Nicholoy) through which cleaning fluid is returned to the cleaning device for further cleaning of the object, a filter (40/48 in Taylor and 34 in Nicholoy) arranged along a flow path of the cleaning fluid between the inlet and outlet; and an interior wall, (38 in Taylor and 27/28 in Nicholoy) extending along the interior cavity, the interior wall being arranged to lengthen the flow path of the cleaning fluid between the inlet and outlet and to direct the flow path across multiple ribs (42, 43 in Taylor and 29, 26 in Nicholoy) extending upward from a floor wall of the cavity and defining particle retention pockets (the space preceding the upwardly extending ribs) there between to promote settling of the solid particles carried by the cleaning fluid in particle retention pockets. As for the intended use of cleaning an object of personal use, namely a shaving apparatus, please note MPEP 2111.02. This is also applicable to the subject matter of claim 19. Re

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claims 5 and 39, Taylor and Nicholoy each disclose the interior cavity having an inlet chamber and an outlet chamber. Re claim 45 and 54, Taylor and Nicholoy disclose the ribs as being traverse partitions.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 47 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Taylor or Nicholoy in view of Salzer et al.

Claims 46 and 56 define over Taylor and Nicholoy only in the recitation of the rib having comb teeth. Salzer is cited disclosing in a cleaning liquid container, ribs/partition walls having comb teeth. It therefore would have been obvious to one having ordinary skill in the art to modify the cleaning liquid container of either Taylor or Nicholoy, to include comb teeth as taught by Salzer, for the purpose of removing stringy debris.

5. Claims 6-17, 40-44, 46, 53, 55 and 57 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 20-26, 28-37, 48-52 and 58-61 are allowed.

7. Applicant's arguments filed June 01, 2004 have been fully considered but they are not persuasive. In regard to the remarks on the Taylor and Nicholoy references, namely that the same fails to disclose a wall to lengthen the flow path and to direct the flow path across ribs, see Taylor and Nicholoy as applied above.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached M-F from 5:30 a.m. to 2:00 p.m. and some Saturdays from 5:30 a.m. to 11:30 a.m.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to TECHNOLOGY CENTER 1700 (571) 272-1700.

Any inquiry for missing parts of this Office Action (copies of references, pages, forms etc.), contact the TEAM LEADER Ms. Nicol Scott (571) 272-1045.

fls



FRANKIE L. STINSON  
Primary Examiner  
Art Unit 1746